

7.224
1 BILL NO. R-78-10- 03

2
3 RESOLUTION NO. 46-78

4
5 A RESOLUTION authorizing an appeal from the
6 budget and tax rates and levies fixed
7 by the Allen County Tax Adjustment Board.

8 WHEREAS, the Allen County Tax Adjustment Board has
9 reduced the budget of the City of Fort Wayne, Indiana in a
10 manner contrary to the laws of the State of Indiana and in such
11 way as to render it impossible to carry out the governmental
12 functions and responsibilities committed to it by law.

13 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL
14 OF THE CITY OF FORT WAYNE, INDIANA:

15 That the appropriate officers of said City are
16 authorized and directed to take all steps necessary to present
17 an appeal from the budget and tax rates and levies fixed by
18 said Allen County Tax Adjustment Board to the Indiana State
19 Board of Tax Commissioners with a view towards reinstatement
20 of the tax rates and levies not exceeding the 1979 limit.

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23 William T. Linga
24 Councilman

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30 APPROVED AS TO FORM
31 AND LEGALITY,
32 [Signature]
CITY ATTORNEY
[Signature]

Read' the first time in full and on motion by _____, seconded by

_____, and duly adopted, read the second time by title and referred to the
Committee on _____ (and the City Plan Commission for
recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers,
City-County Building, Fort Wayne, Indiana, on _____, the _____ day
of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: _____

Charles W. Winterman
CITY CLERK

Read the third time in full and on motion by _____

seconded by Gunter, and duly adopted, placed on its passage.

PASSED (~~LOSS~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 10-10-78

Charles W. Winterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. Q-46-78 on the 10th day of October, 1978

ATTEST: (SEAL)

Charles W. Winterman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th
day of October, 1978 at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Winterman
CITY CLERK

Approved and signed by me this 17th day of October, 1978,
at the hour of 3:00 o'clock _____ M., E.S.T.

Ralph Armstrong
MAYOR

BEFORE THE STATE BOARD OF
TAX COMMISSIONERS OF INDIANA

IN THE MATTER OF THE APPEAL OF)
THE CITY OF FORT WAYNE, INDIANA)
FROM THE ALLEN COUNTY TAX) PETITION
ADJUSTMENT BOARD)

The City of Fort Wayne, Indiana ("the City") appeals from the budget and tax rates and levies fixed by the Allen County Tax Adjustment Board and for its petition alleges and says that:

1. The City is a second class city situated in Allen County, Indiana.

2. The City, through its administration and common council, devoted a great deal of time and study to the preparation of a budget for the year 1979, seeking to arrive at a budget which would enable petitioner to perform its governmental functions in a manner consistent with the law and with certain contractual commitments.

3. Pursuant to law, the City's officers filed with the County Auditor, a statement of its tax rates and levies, together with the aforesaid budget, said budget being the budget upon which said tax rates and levies are based.

4. Subsequently, the Allen County Tax Adjustment Board ("the Tax Adjustment Board") reduced said budget and said tax rates and levies in the following manner:

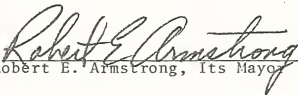
- a) Line 12 of the Sewer Relief Fund was reduced from \$200,000 to Zero.
- b) Line 12 of the Street Lighting Fund was reduced from \$250,000 to Zero.
- c) Line 12 of the Redevelopment District Capital Fund was reduced from \$188,400 to Zero.
- d) This is a total reduction in the 1979 levy of \$638,400.
- e) The rate for the aforesaid items was reduced as follows:
 1. Sewer Relief from .042 to Zero
 2. Street Lighting from .052 to Zero
 3. Redevelopment District Capital from .039 to Zero
 4. This is a total reduction in the 1979 rate of .133

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2 5. The effect of these reductions by the A.C.T.A.B.
3 places the City of Fort Wayne in the position of not being able
4 to provide its citizens with needed repairs in its sewer system
5 and street lights. It also provides further acceleration to the
6 already sad deterioration of the city by the action taken with
7 the Redevelopment District Capital Fund. This comes at a time
8 when the President of the United States is urging the Congress
9 to appropriate billions for the "revitalization of the nation's
10 cities".

11 6. The City's Common Council has authorized this
12 appeal by resolution, a copy of which is identified as
13 Exhibit "A" and attached hereto.

14 WHEREFORE, the City of Fort Wayne, Indiana, prays
15 that the aforesaid tax levies and rates be increased from the
16 amounts fixed by the Allen County Tax Adjustment Board and that
17 said tax levies and rates be adjusted to the amounts requested
18 by the City.

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20 CITY OF FORT WAYNE, INDIANA

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23 By 
24 Robert E. Armstrong, Its Mayor
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29 Samuel J. Talarico
30 President of Its Common Council
31
32

4234

Admn. Appr. _____

DIGEST SHEETTITLE OF ORDINANCE RESOLUTION TO APPEAL 9-78-10-02DEPARTMENT REQUESTING ORDINANCE CITY CONTROLLERSYNOPSIS OF ORDINANCE The following are the cuts that were made bythe Allen County Tax Adjustment Bd. which I am asking the State Tax
Commission to restore:

Items Cut	1978 Levy	1978 Rate
SEWER RELIEF	\$200,000	.042
STREET LIGHTING	\$250,000	.052
REDEVELOPMENT DISTRICT CAPITAL	\$188,400	.039
Total Cut	\$638,400	.133

EFFECT OF PASSAGE Appeal to State Tax Commission to restore amount cut
from 1979 budget of Civil City of Fort Wayne.EFFECT OF NON-PASSAGE _____
Money not restored to budget.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____

DATE SUBMITTED: _____

James